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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,851	08/30/2001	Tapani Larikka	017.40169X00	7553
22907	7590	12/16/2005	EXAMINER	
BANNER & WITCOFF 1001 G STREET N W SUITE 1100 WASHINGTON, DC 20001			CHOW, MING	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/941,851	LARIKKA ET AL.	
	Examiner	Art Unit	
	Ming Chow	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33,35-38 and 40-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,10-13,15,19-21,23-26,30-33,35-38,40-47 is/are rejected.
- 7) ☒ Claim(s) 2,7-9,14,16-18,22 and 27-29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

ALLOWABLE SUBJECT MATTER

1. Claims 2, 7-9, 14, 16-18, 22, 27-29 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Upon close review of the claims, the prior art and applicant's remarks it appears that the allowance of claims 2, 7-9, 14, 16-18, 22, 27-29 are appropriate. The prior art does not teach formatting the data message comprising formatting the data in a SyncML format wherein the data formatted in a SyncML format comprises one of two MIME formats. The two MIME formats comprise vcal and vcard formats. The compressed SMS message comprises a WBXML encoded message.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 13, 21, 23, 33, 38, 11, 12, 20, 31, 32, 36, 37, 41, 42, 43-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi (US: 6633759), and in view of Jokimies (US: 5353328).

Regarding claims 1, 3, 13, 21, 23, 33, 38, Kobayashi teaches on column 13 line 62 to column 14 line 6, message data is entered in the PC (claimed “first terminal device”) and send the message data to the cellular phone (claimed “intermediate terminal device”). The sending of same message data from the PC to the cellular phone is a synchronization. Kobayashi teaches Fig. 9, short-range wireless communication between the PC and the cellular phone (reads on claimed “remotely located”).

Kobayashi failed to teach “formatting the data to be synchronized into at least one SMS message in the intermediate terminal device”. However, Jokimies teaches on Abstract – an adapter for a mobile phone to convert received data into SMS for transmitting.

Kobayashi teaches on column 14 line 26-32, transmit the received data from the intermediate terminal to a third terminal (claimed “second terminal device”). Kobayashi teaches the intermediate terminal is a cellular phone (reads on claimed “through a cellular network connection”).

It would have been obvious to one skilled at the time the invention was made to modify Kobayashi to have the formatting the data to be synchronized into at least one SMS message in the intermediate terminal device as taught by Jokimies such that the modified intermediate terminal of Kobayashi would be able to support the formatting data message into SMS to the system users.

Regarding claims 11, 12, 20, 31, 32, 36, 37, 41, 42, Kobayashi teaches on column 4 line 55-64 the PC (claimed “first terminal device”) and the cellular phone (claimed “intermediate terminal”) are connected via bluetooth interface (claimed “a short range communication link”).

Regarding claims 43-47, Kobayashi teaches on column 14 line 25-31 the data can be transmitted and received among multiple devices (reads on claimed “from the second terminal device to the first terminal device”).

3. Claims 4, 24, 35, 40, 5, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi, and in view of Jokimies, Lohtia et al (US: 6560456).

Regarding claim 4, 24, 35, 40, Kobayashi in view of Jokimies as stated in claim 1 above failed to teach “SMS message center”. However, Lohtia et al teach on item 16 Fig. 1 and column 12 line 20 a SMS message center.

It would have been obvious to one skilled at the time the invention was made to modify Kobayashi, Jokimies to have the SMS message center as taught by Lohtia et al such that the

modified system of Kobayashi, Jokimies would be able to support the SMS message center to the system users.

Regarding claims 5, 25, Kobayashi in view of Jokimies, Lohtia et al as stated in claim 4 above failed to teach “the at least one.....and the internet”. However, Lohtia et al teach on item 304 Fig. 3 MSC (claimed “mobile network”), item 302 Fig. 3 WWIS Gateway, item 303 Fig. 3 Internet.

It would have been obvious to one skilled at the time the invention was made to modify Kobayashi, Jokimies, Lohtia et al to have the at least one.....and the internet as taught by Lohtia et al such that the modified system of Kobayashi, Jokimies, Lohtia et al would be able to support the mobile network, gateway, and Internet for transmitting SMS messages to the system users.

4. Claims 6, 15, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi, and in view of Jokimies, Alanara et al (US: 6097961).

Kobayashi in view of Jokimies as stated in claim 1 above failed to teach “the at least.....SMS message”. However, Alanara et al teach on column 15 line 24-25 a controller on the mobile station to compress SMS messages.

It would have been obvious to one skilled at the time the invention was made to modify Kobayashi, Jokimies to have the at least.....SMS message as taught by Alanara et al such that the modified system of Kobayashi, Jokimies would be able to support the compressed SMS message to the system users.

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5. Claims 10, 19, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi, and in view of Jokimies.

Kobayashi in view of Jokimies as stated in claim 1 above failed to teach “the data message.....contact information”. However, “Official Notice” is taken that content of data message is a decide choice.

It would have been obvious to one skilled at the time the invention was made to modify Kobayashi, Jokimies to have the “the data message.....contact information” such that the modified system of Kobayashi, Jokimies would be able to support the calendar, to-do list, personal information, or contact information to the system users.

Response to Arguments

6. Applicant's arguments filed on 10/17/05 have been fully considered.

- i) Applicant argues, on page 2, regarding claimed “intermediate device”. As rejections clearly stated in the Office Action, Kobayashi teaches on column 13 line 62 to column 14 line 6, message data is entered in the PC (claimed “first terminal device”) and send the message data to the cellular phone (claimed “intermediate terminal device”). Kobayashi also teaches on column 14 line 26-32, transmit the received data from the intermediate terminal to a third terminal (claimed “second terminal device”).

Kobayashi teaches the intermediate terminal is a cellular phone (reads on claimed “through a cellular network connection”). In particular, Kobayashi teaches on column 14 line 26-29, data can be transmitted/received among more than two devices (reads on claimed “from the intermediate terminal to the second terminal device”).

Conclusion

7. The prior art made of record and not replied upon is considered pertinent to applicant’s disclosure.

- US: 4593379.

8. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (571) 272-7535. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Fan Tsang, can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600. Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to Central FAX Number 571-273-8300.

Patent Examiner

Art Unit 2645

Ming Chow



FAN TSANG
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